

108TH CONGRESS  
1ST SESSION

# H. R. 754

To amend title XVIII of the Social Security Act to remove the 20 percent inpatient limitation under the Medicare Program on the proportion of hospice care that certain rural hospice programs may provide.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2003

Mr. WICKER introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title XVIII of the Social Security Act to remove the 20 percent inpatient limitation under the Medicare Program on the proportion of hospice care that certain rural hospice programs may provide.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Rural Communities  
5 Hospice Care Access Improvement Act of 2003”.

1 **SEC. 2. EXCEPTION TO MEDICARE 20 PERCENT INPATIENT**  
2 **CARE LIMITATION FOR CERTAIN RURAL HOS-**  
3 **PICE PROGRAMS.**

4 (a) IN GENERAL.—Section 1861(dd) of the Social Se-  
5 curity Act (42 U.S.C. 1395x(dd)) is amended—

6 (1) in paragraph (2)(A)(iii), by inserting “sub-  
7 ject to paragraph (6),” after “(iii)”; and

8 (2) by adding at the end the following new  
9 paragraph:

10 “(6) The requirement of paragraph (2)(A)(iii) (relat-  
11 ing to a limitation on proportion of hospice care provided  
12 in an inpatient setting) shall not apply in the case of a  
13 hospice program that meets the following requirements:

14 “(A) The hospice program is a non-profit orga-  
15 nization, provides a residence for individuals who do  
16 not have a primary caregiver available at home, is  
17 located in a rural area (as defined in section  
18 1886(d)(2)(D)), is not certified for purposes of this  
19 title to provide other than hospice care, and is not  
20 affiliated with any organization that provides a type  
21 of care other than hospice care.

22 “(B) The residence has not more than 20 beds.

23 “(C) The residence offers all other categories of  
24 hospice care, including continuous home care, respite  
25 care, and general patient care, for individuals who  
26 qualify to receive such care.”.

1 (b) MAINTAINING PAYMENT RATES FOR ROUTINE  
2 CARE.—Section 1814(a) of such Act (42 U.S.C. 1395f(a))  
3 is amended—

4 (1) by redesignating paragraph (3) as para-  
5 graph (4); and

6 (2) by inserting after paragraph (2) the fol-  
7 lowing new paragraph:

8 “(3)(A) With respect to a care provided under a hos-  
9 pice program described in section 1861(dd)(6) that meets  
10 the requirements of that section, payment for routine care  
11 and other services included in hospice care furnished  
12 under such program shall be made at the rate applicable  
13 under this subsection for routine home care and other  
14 services included in hospice care.

15 “(B) For purposes of determining payment amounts  
16 under subparagraph (A) with respect to routine and  
17 continuous care, the residence described in section  
18 1861(dd)(6) is deemed to be the home of the individual  
19 receiving hospice care.”.

20 (c) EFFECTIVE DATE.—The amendments made by  
21 this section shall apply to hospice care provided on or after  
22 the date of the enactment of this Act.

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